

So Ordered.

Dated: November 7th, 2018



*Frederick P. Corbit*  
Frederick P. Corbit  
Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
IN AND FOR THE EASTERN DISTRICT OF WASHINGTON

In re:

**JANET SUE PLESTER,**  
  
Debtor.

No.: **18-00972-FPC11**

Chapter 11

**CONCLUSIONS OF LAW**

**THIS MATTER** came on for hearing on November 7, 2018 upon the issues raised by Debtor's request for confirmation of Debtor's First Amended Plan of Reorganization filed herein on September 19, 2018 [ECF 106] (the "Plan"), and the Court having entered its Findings of Fact, based upon the evidence produced, the Court now makes the following:

**CONCLUSIONS OF LAW**

1. The Plan has been accepted in writing by the creditors and equity security holders whose acceptance is required by law;

Conclusions of Law-1

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1           2.     The provisions of Chapter 11 have been complied with and the Plan has  
2 been proposed in good faith and not by means forbidden by law;

3           3.     (i) Each holder of a claim or interest has accepted the Plan or will receive or  
4 retain under the Plan, property of a value, as of the effective date of the Plan, that is not  
5 less than the amount that such holder would receive or retain if the Debtor was liquidated  
6 under Chapter 7 of the Code on such date, or (ii) the Plan does not discriminate unfairly,  
7 and is fair and equitable with respect to each class of claims or interest that are impaired  
8 under the Plan and has not accepted the Plan;

9           4.     All payments made or promised by the Debtor or by a person issuing  
10 securities or acquiring property under the Plan or by an other person for services or for  
11 costs and expenses in, or in connection with, the Plan and incident to the case, have been  
12 fully disclosed to the Court and are reasonable or, if to be fixed after confirmation of the  
13 Plan, will be subject to approval of the Court;

14           5.     The identity of any insider that will be employed or retained by the Debtor  
15 and their compensation has been fully disclosed;

16           6.     (i) Confirmation of the Plan is not likely to be followed by the liquidation or  
17 the need for further financial reorganization of the Debtor or (ii) if the Plan is a Plan of  
18 liquidation, the Plan sets a time period in which liquidation will be accomplished, and  
19 provides for eventuality if the liquidation is not accomplished in that period;

20           7.     Substantial consummation shall not occur before the sixtieth (60<sup>th</sup>) day after  
21 the Effective Date; and

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Conclusions of Law-2

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1           8.       It is proper that the Plan be confirmed.

2  
3                               ///END OF ORDER///

4       PRESENTED BY:

5       SOUTHWELL & O'ROURKE, P.S.

6  
7       BY: s/ Kevin O'Rourke  
8       KEVIN O'ROURKE, WSBA #28912  
9       Attorneys for Debtor

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25       Conclusions of Law-3

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